

REPORT DOCUMENTATION PAGE			
1. AGENCY USE ONLY (leave blank)		2. REPORT DATE September 24, 1996	
		3. REPORT TYPE & DATE COVERED DoD Instruction 1320.14 <i>DDI-1320.14</i>	
4. TITLE & SUBTITLE Commissioned Officer Promotion Program Procedures		5. FUNDING NUMBERS	
6. AUTHOR(S) S. Kekauoha			
7. PERFORMING ORGANIZATION NAME(S) & ADDRESS(ES) Under Secretary of Defense for Personnel and Readiness 4000 Defense Pentagon Washington, DC 20301-4000		8. PERFORMING ORGANIZATION REPORT NUMBERS	
9. SPONSORING/MONITORING AGENCY NAME(S) & ADDRESS(ES)		10. SPONSORING/MONITORING AGENCY REPORT NUMBERS	
11. SUPPLEMENTARY NOTES		19970128 345	
12a. DISTRIBUTION/AVAILABILITY STATEMENT Unclassified, Release unlimited.		12b. DISTRIBUTION CODE	
13. ABSTRACT (Maximum 200 Words) This Instruction implements policy, and assigns responsibilities and prescribes procedures, for administering the officer promotion program in the Department of Defense under DoD Directive 1320.12 and Title 10, United States Code. It incorporates Reserve component policies and responsibilities resultant from the Reserve Officer Personnel Management Act under subtitle E of Title 10, United States Code.			
14. SUBJECT TERMS		15. NUMBER OF PAGES 22 Pages	
		16. PRICE CODE	
17. SECURITY CLASSIFICATION OF REPORT Unclassified	18. SECURITY CLASSIFICATION OF THIS PAGE Unclassified	19. SECURITY CLASSIFICATION OF ABSTRACT Unclassified	20. LIMITATION OF ABSTRACT



Department of Defense **INSTRUCTION**

September 24, 1996
NUMBER 1320.14

USD(P&R)

SUBJECT: Commissioned Officer Promotion Program Procedures

- References: (a) DoD Directive 1320.12, "Commissioned Officer Promotion Program," October 30, 1996
(b) Title 10, United States Code
(c) Chairman of the Joint Chiefs of Staff Instruction 1330.02, "Review of Promotion Selection Board Results by the Chairman of the Joint Chiefs of Staff," January 7, 1994
(d) Chairman of the Joint Chiefs of Staff Instruction 1331.01, "Manpower and Personnel Actions Involving General/Flag Officers," January 31, 1995
(e) through (h), see enclosure 1

A. PURPOSE

This Instruction:

1. Implements policy, and assigns responsibilities and prescribes procedures, for administering the officer promotion program in the Department of Defense under references (a) and (b).
2. Incorporates Reserve component policies and responsibilities resultant from the Reserve Officer Personnel Management Act under subtitle E of reference (b).

B. APPLICABILITY AND SCOPE

This Instruction applies to:

1. The Office of the Secretary of Defense (OSD), the Chairman of the Joint Chiefs of Staff, and the Military Departments. The term "Military Services," as used herein, refers to the Army, the Navy, the Air Force, and the Marine Corps.
2. The selection of commissioned officers for promotion on the Active Duty List or Reserve Active Status List to the grades of captain through major general in the Army, the Air Force, and the Marine Corps, and lieutenant through rear admiral in the Navy.

C. DEFINITIONS

Terms used in this Instruction are defined in enclosure 2.

D. POLICY

It is DoD policy under DoD Directive 1320.12 (reference (a)) that all promotion selection boards are conducted in full compliance with applicable statutes and directives.

E. RESPONSIBILITIES

1. The Assistant Secretary of Defense for Force Management Policy and the Assistant Secretary of Defense for Reserve Affairs, under the Under Secretary of Defense for Personnel and Readiness, shall monitor compliance with this Instruction.

2. The Chairman of the Joint Chiefs of Staff shall:

a. For all promotion selection boards and special promotion selection boards considering Active Duty List officers who are serving or have served in a Joint Duty Assignment (JDA), select an officer currently serving in a JDA to serve as a member of the board (this requirement may be waived by the Secretary of Defense for Marine Corps boards).

b. Propose for Secretary of Defense approval, guidelines to the Secretaries of the Military Departments for ensuring promotion selection boards give appropriate consideration to the performance in JDAs of Active Duty List officers who are serving, or have served, in such assignments.

c. Review reports of promotion selection boards and special promotion selection boards for Active Duty List officers that considered officers who are serving, or have served, in joint duty assignments. The Chairman of the Joint Chiefs of Staff shall determine whether each Active Duty List promotion selection board:

(1) Acted consistent with the guidelines of the Secretary of Defense under 10 U.S.C. 615(c) (reference (b)) to ensure that promotion selection boards gave appropriate consideration to the performance in JDAs of officers who are serving, or have served, in such assignments.

(2) Met, or failed to meet, the promotion objectives set forth in Section 662 of reference (b).

(3) After reviewing the report, return the report with his or her determinations and comments to the Secretary concerned.

d. Periodically review officer personnel promotion retention and assignment policies of the Military Departments to ensure that they give appropriate consideration to the performance of an officer as a member of the Joint Staff as required by Section 646 of reference (b).

3. The Secretaries of the Military Departments shall:

a. Administer promotion and selection programs of their Military Departments, ensuring compliance with this Instruction and all applicable laws.

b. Develop and issue written procedures, including regulations, to implement this Instruction. Regulations and procedures that supplement this Instruction must be approved in writing by the Secretary of Defense.

c. Develop annually a promotion plan in accordance with Sections 622, 623, 14305, and 14307 of 10 U.S.C. (reference (b)) and enclosure 3.

d. Ensure that each person participating in the conduct of a promotion selection board receives a copy and reviews the contents of this Instruction, and reviews the applicable portions of implementing regulations of the Military Department concerned on receipt of notification that he or she has been assigned duties in conjunction with the conduct of a selection board.

e. Furnish information and written instructions to promotion selection boards in accordance with Sections 615 and 14107 reference (b) and this Instruction.

f. Ensure that the text of enclosure 4 is included in the written instructions to officer promotion selection boards; is read to each board member, recorder, and administrative support person on the convening date of the promotion selection board to which they are assigned or on the date of assignment to the board, whichever is later; and that applicable portions are included in the certification provided for in subparagraph F.2.c.(4), below.

g. Conduct each year, on a random basis, interviews of board presidents, members, recorders, or the administrative staff assigned to support board deliberations, to assist in ensuring that boards convened under Sections 611(a) and 14101(a) of reference (b) are being conducted in accordance with applicable law, regulations, instructions and administrative issuances. Interviews shall be conducted from among those boards considering officers for promotion to grades O-4 through O-8. This function may be delegated only to subordinate civilian officials appointed by the President by and with the advice and consent of the Senate.

h. Review on an annual basis the content of the administrative briefings provided to promotion selection boards to ensure that they are consistent with and do not alter the substantive guidance provided by the Secretary of the Military Department concerned to the board. This function may be delegated only to subordinate civilian officials appointed by the President by and with the advice and consent of the Senate.

i. Ensure the use of written standard operating procedures to govern the administrative support for promotion selection boards.

j. Nominate to the Chairman of the Joint Chiefs of Staff at least one qualified and available officer, currently serving in a JDA, for the Chairman to consider as a possible Joint representative for the promotion selection board. This responsibility applies to those boards consider-

ing one or more officers who are Joint Specialty Officers or are currently serving, or have served, in a JDA, including special promotion selection boards.

k. Ensure the pertinent records of those officers who should receive appropriate consideration for performance in JDAs are precisely identified to the members of the promotion selection board.

l. Ensure promotion selection boards that consider officers on the Active Duty List give appropriate consideration to the performance in JDAs of officers who are serving, or have served, in such assignments.

m. For promotion selection boards and special promotion selection boards that considered Active Duty List officers (to the grades of O-4 and above) who are serving, or have served, in a JDA, provide the Secretary of Defense, promotion selection board statistics as required by CJCSI 1330.02 and CJCSI 1331.01 (references (c) and (d)) after the Chairman of the Joint Chiefs of Staff has reviewed and commented on the results. If promotion objectives set forth in 10 U.S.C. 662 (reference (b)) were not met, provide comments on action taken or action that will be taken to prevent further failures and/or explain disagreement with the Chairman of the Joint Chiefs of Staff's determination. Also include promotion statistics required by Section 667 of reference (b) in the board reports.

n. For Active Duty List boards (to the grades of O-5 and above), provide the Under Secretary of Defense for Acquisition and Technology (USD(A&T)) a statistical comparison of Acquisition Corps and line officer promotion selection rates. A format is provided at enclosure 5.

o. Forward promotion selection board results to the Secretary of Defense as outlined in enclosure 6.

p. Develop and issue written procedures, as deemed necessary, including regulations, to implement the following Reserve component programs:

(1) Voluntary delay of promotion under Section 14312 of reference (b) and involuntary delay of promotion because of strength in grade limitations or duties to which assigned under Sections 14311 of reference (b) for the following reasons:

(a) Strength limitations per Section 14311(e)(1) of reference (b).

(b) The duty assignment authorized grade is lower than the grade to which the officer is selected for promotion per Section 14311(e)(2) of reference (b). In such situations, the Secretary of the Military Department concerned may approve an overgrade waiver for the officer subject to the limitations in Section 12011 of reference (b).

(2) Position vacancy promotion as covered in Sections 14101(a)(2) and 14315 of reference (b).

(3) Federal recognition pertaining to the Army National Guard of the United States and the Air National Guard of the United States as covered in Section 14316 of reference (b).

(4) Running mate system of the Naval Reserve and Marine Corps Reserve as covered in Section 14306 of reference (b).

q. Ensure compliance with the transition provisions of Sections 1681 through 1690 of Public Law 103-337 (reference (e)).

r. Ensure Service promotion policies give appropriate consideration to the performance of an officer as a member of the Joint Staff as required by 10 U.S.C. 646 (reference (b)).

F. PROCEDURES

1. Instructions to and Communications with Promotion Selection Boards

a. Authority to Issue Written Instructions. The Secretaries of the Military Departments shall issue written instructions to promotion selection boards under Section 615 or 14107 of reference (b). The written instructions, information, or guidance furnished to a promotion selection board may not be modified, withdrawn, or supplemented after that board submits its report to the Secretary of the Military Department concerned under Section 617 or 14109 of reference (b). However, in the case of a report returned to a board under Section 618(a)(2) or 14110(b) of reference (b) for further proceedings because the Secretary of the Military Department concerned determined that the board acted contrary to law, regulation, or guidelines, the Secretary of the Military Department concerned may modify, withdraw, or supplement such instructions as part of the written explanation to the board.

b. Content of Written Instructions to Selection Boards. Written instructions from the Secretaries of the Military Departments provided to promotion selection boards shall not include information on particular officers, but shall, as a minimum, include the following information:

(1) Guidelines to ensure the consideration of all eligible officers without prejudice or partiality.

(2) The maximum number of officers determined in accordance with the procedures in enclosure 3 to this Instruction that the board may recommend for promotion to the next higher grade in each competitive category. No increase in the number may be made after the promotion selection board convenes without the written approval of the Secretary of Defense.

(3) Information or guidelines on the needs of the Service concerned for officers having particular skills, including guidelines or information on the need for either a minimum number, or a maximum number, of officers with particular skills in a competitive category. Information or guidelines on officers with particular skills must be furnished to the board as part of the written instructions provided to the board at the time the board is convened.

(4) Guidelines to ensure that the marital status of a member or the employment, education, or volunteer service of a spouse shall have no effect on the promotion opportunities of that member as described in DoD Directive 1400.33 (reference (f)).

(5) Guidelines to ensure that boards give appropriate consideration to the performance in JDAs of officers who are serving, or have served, in such assignments. The pertinent records of those officers who should receive appropriate consideration for performance in JDAs in accordance with Section 615(b) of 10 U.S.C. (reference (b)) shall be precisely identified to the members of the promotion selection board. This requirement applies only to those officers serving on the Active Duty List.

(6) Direction that boards convened to consider for promotion to a grade below O-6 officers in a health-professional competitive category give consideration to an officer's clinical proficiency and skill as a health professional to at least as great an extent as the board gives to that officer's administrative and management skills.

(7) Guidelines to prohibit board members and recorders, or persons acting on their behalf, from receiving, initiating, or participating in communications or discussions involving information that should be precluded from presentation to the promotion selection board by this Instruction or the regulations of the Military Department (or Service) concerned. These guidelines should not prevent board recorders and administrative support personnel from screening information intended for a promotion selection board to ensure that the information is authorized for presentation to that promotion selection board.

(8) Guidelines about actions to be taken if a board member or recorder believes someone is exerting or attempting to exert inappropriate influence over the board or its proceedings.

c. Communications with Promotion Selection Boards

(1) General. All communications with, other than those communications that are only administrative in nature, shall be in writing, furnished to all board members, and made a part of the board's record. An audio or video recording is an acceptable means of communication with the board, so long as a written transcript is made a part of the board record. No one, other than the Secretary of the Military Department concerned, shall appear in person to address a promotion selection board on any matter. This authority shall not be delegated. Should the Secretary of the Military Department appear in person to address a promotion selection board, a verbatim written transcript of his remarks shall be provided to every board member and included in the record of the promotion selection board. This does not restrict the furnishing of administrative information to the promotion selection board by the staff designated in writing by the Secretary of the Military Department concerned to assist the board. Oral communication of routine administrative information among board members, recorders, and support personnel is authorized to the extent that it is necessary to facilitate the work of the board.

(2) Communications about Particular Officers. Information about a particular officer may be communicated to a promotion selection board as follows:

(a) Information in an eligible officer's official military personnel records, as defined in regulation by the Secretary of the Military Department concerned, and provided to the promotion selection board in accordance with this Instruction.

(b) Information, including the opinion of third parties, submitted to promotion selection boards by eligible officers under Section 614(b) or 14106 of 10 U.S.C (reference (b)), this Instruction, and the regulations of the Military Department concerned.

(c) Information that is not part of the official military personnel record of an officer, but which the Secretary of the Military Department concerned, or a civilian official appointed by the President by and with the advice and consent of the Senate and designated by the Secretary concerned, determines to be substantiated and relevant information that he or she considers might reasonably and materially affect the deliberations of the promotion selection board. In making such a determination, the Secretary of the Military Department concerned, or designee, must ensure that the procedures for identifying and proposing such information for consideration apply to all eligible officers in, above, or below the promotion zone for the board concerned. Additionally, the Secretary concerned must ensure that the officer:

1 Is notified that such information will be presented to the promotion selection board.

2 Is provided a copy of the information that will be provided to the promotion selection board.

3 Is afforded a reasonable opportunity to submit written comments on that information to the promotion selection board.

(d) If an eligible officer may not have access to the information for reasons of national security, the officer shall (to the maximum extent practicable) be provided with an appropriate summary of the information, prepared by personnel designated in writing by the Secretary of the Military Department concerned for that purpose.

(e) Under such instructions as the Assistant Secretary of Defense for Force Management Policy (ASD(FMP)) may prescribe, factual summaries of the information described in subparagraphs F.1.c.(2)(a), (b) and (c), above, may be prepared by personnel designated in writing by the Secretary of the Military Department concerned to facilitate the work of a promotion selection board.

(3) Information provided to a promotion selection board under subparagraph F.1.c.(2)(c), above, may not be provided to a subsequent promotion selection board convened under Section 611(a) or 14101(a) of reference (b) unless either:

(a) The information is in the official military personnel record, as defined in regulation by the Secretary of the Military Department concerned, of the officer concerned; or

(b) The Secretary of the Military Department concerned or a designee makes a new determination, in accordance with procedures in subparagraph F.l.c.(2)(c), above, and the officer is again provided the notification and opportunity to comment as provided in that subparagraph.

(4) Under regulations to be prescribed by the Secretary of the Military Department concerned, a promotion selection board may be authorized to request during deliberations administrative information to amplify or clarify the official military records, instructions, and information provided to the board. If such request pertains to non-administrative information regarding a particular officer, the rules in subparagraph F.l.c.(2) apply.

2. Board Proceedings

a. Board Members

(1) The Secretaries of the Military Departments shall appoint a member of a promotion selection board as president of the board and shall prescribe administrative duties for that officer to perform. A board president has no authority to constrain the board from recommending for promotion those fully qualified officers that the majority finds best qualified to meet the needs of the Armed Force concerned, as specified by the Secretary of the Military Department concerned.

(2) Board members are to base their recommendations on the material in each officer's official military record, any information the Secretary of the Military Department concerned may provide to that board in accordance with this Instruction, and any information about his or her own record communicated to the board by individual eligible officers under regulations of the Military Department concerned. Board members in their deliberations may discuss their own personal knowledge and evaluation of the professional qualifications of eligible officers to the extent that such matters are not precluded by law, this Instruction, or Service regulation from consideration by a promotion selection board or inclusion in an officer's military personnel record. Board members may not discuss or disclose the opinion of any person not a member of the board concerning an officer being considered unless that opinion is contained in material provided to the board under this Instruction.

(3) Any board member who believes that he or she cannot, in good conscience, perform his or her duties as a member of the board without prejudice or partiality has a duty to request relief by the Secretary of the Military Department concerned from such duty. Such a request shall be honored. Any board member who believes that the integrity of the board's proceedings has been affected by improper influence of senior military or civilian authority, misconduct by the board president or a member, or any other reason, has a duty to request from the Secretary of the Military Department concerned or the Secretary of Defense relief from his or her obligation not to disclose board proceedings, and, on receiving it, to report the basis for his or her belief to that authority.

b. Board Recorders

(1) The Secretaries of the Military Departments shall designate officers or civilian equivalents to serve as recorders for promotion selection boards convened under Section 611(a) or 14101 (a) of 10 U.S.C. (reference (b)). At least one board recorder must be present during all board deliberations. Personnel so designated must have completed, during the previous 12 months, a program of instruction approved by the Secretary of the Military Department concerned. This program of instruction shall include the duties and responsibilities of board recorders to assist the board president in ensuring that the board complies with law and this Instruction.

(2) Officers eligible for consideration by a promotion selection board may not serve as board recorders for the promotion selection board for which they are eligible for consideration.

(3) Officers whose primary responsibilities involve the career management of the officers eligible for consideration by a promotion selection board, or the career management of those officers once selected for promotion, may not serve as board recorders for promotion selection boards considering those officers for promotion.

(4) An officer may not serve as a board member and a board recorder for the same promotion selection board.

(5) Any board recorder who believes that he or she cannot in good conscience perform his or her duties and responsibilities has a duty to request relief by the Secretary of the Military Department concerned from such duty. Such a request shall be honored. Any board recorder who believes that the integrity of the board's proceedings has been affected by improper influence of senior military or civilian authority, misconduct of the board president or a member, or any other reason, has a duty to request relief from his or her obligation not to disclose board proceedings from the Secretary of the Military Department concerned or the Secretary of Defense, and, on receiving it, to report the basis for his or her belief to that authority.

c. Promotion Selection Board Reports

(1) Promotion selection boards shall prepare and submit written reports to the Secretary of the Military Department concerned, in accordance with Section 617 or 14109 of 10 U.S.C. (reference (b)) and this Instruction.

(2) When more than one promotion selection board is convened to recommend officers in different competitive categories or grades for promotion, the written reports of the promotion selection boards under Section 617 or 14109 of reference (b) may be consolidated into a single package for submission to the Secretary of Defense as prescribed under Section 618 or 14110 of reference (b).

(3) The administrative procedures at enclosure 6 apply to the submission of promotion selection board reports.

(4) On completion of board deliberations, the board president, the board members, and board recorders shall, as a minimum, certify in the report to the Secretary of the Military Department concerned:

(a) That, to the best of their knowledge, the board complied with this Instruction.

(b) That he or she was not subject to or aware of any censure, reprimand, or admonishment resulting from the recommendations of the board or the exercise of any lawful function within the authorized discretion of the board.

(c) That he or she was not subject to or aware of any attempt to coerce or influence improperly any action in the formulation of the board's recommendations.

(d) That he or she was not a party to or aware of any attempt at unauthorized communications.

(e) That, to the best of their knowledge, the board carefully considered the records of each officer whose name was furnished to the board.

(f) That the officers recommended for promotion are, in the opinion of the majority of the members of the board, fully qualified and best qualified for promotion to meet the needs of the Armed Force concerned, as noted in the written instructions furnished to the board by the Secretary of the Military Department, among those officers whose names were furnished to the board. (In the case of boards selecting only to the "fully qualified" standard, the certification should reflect that standard.)

d. Disclosure of Board Recommendations

(1) The recommendations of a promotion selection board may be disclosed only in accordance with law and this Instruction. Before the report is signed by each board member and board recorder, the recommendations may be disclosed only to the board members, board recorders, and those administrative support personnel designated in writing by the Secretary of the Military Department concerned. Except as authorized by this Instruction and Section 616(e) or 14104 of 10 U.S.C. (reference (b)), the proceedings of the board may not be disclosed to any person not a board member or board recorder.

(2) The Secretaries of the Military Departments may release to the public the names of general and flag officer nominees after the President has nominated the selected officers to the Senate for confirmation. They may release to the public the names of other officer selectees after the ASD (FMP) (to whom the authority to approve promotion selection boards on behalf of the President has been delegated) approves the report of the promotion selection board.

3. Recommendations for Removal of Selected Officers from Report. If the Secretary of a Military Department or the Secretary of Defense recommends removal, under Section 618 or 14111 of reference (b), of the name of an officer from a report of a promotion selection board

and the recommendation includes information that was not presented to the promotion selection board, the information shall be made available to the officer. The officer shall be afforded a reasonable opportunity to submit comments on that information to the officials making the recommendation and the officials reviewing the recommendation. If the officer cannot be given access to the information for reasons of national security, the officer shall, to the maximum extent practicable, be provided with an appropriate summary of the information. This subsection shall be administered in a manner consistent with applicable constitutional protections for executive communications as determined by the General Counsel of the Department of Defense.

4. Screening of Officers for Consideration by Promotion Selection Boards

a. The Secretary of each Military Department may, for each board convened under Section 611(a) or 14101(a) of 10 U.S.C. (reference (b)):

(1) Request permission from the Secretary of Defense to limit the number of officers to be considered by a specific board for selection for promotion to the grade of brigadier general or rear admiral (lower half). When the Secretary of Defense approves such a request, the Secretary of the Military Department concerned shall issue written procedures to prevent from consideration for selection to brigadier general or rear admiral (lower half) officers in the grade of colonel, or captain for the Navy, who:

(a) Have been considered and not selected for promotion to the grade of brigadier general or rear admiral (lower half) by at least two promotion selection boards; and,

(b) Are determined as not being exceptionally well qualified for promotion.

(2) Establish written procedures to limit the number of officers to be considered by a board from below the promotion zone to those officers who are determined to be exceptionally well qualified for promotion.

b. The following standards govern the exercise of the authorities provided in subparagraphs F.4.a.(1) and F.4.a.(2), above:

(1) No officer may be precluded from consideration by a promotion selection board, except on the recommendation of a board of officers convened by the Secretary of the Military Department concerned and composed of at least three officers, all of whom are serving in a grade higher than the grade of such officer. Such a board of officers is referred to herein as a "promotion screening board."

(2) A promotion screening board may not recommend that an officer be precluded from such consideration unless the Secretary of the Military Department concerned has given the officer advance written notice of the convening of such board and of the military records that shall be considered by the board, and has given the officer a reasonable period before the convening of the board in which to submit written comments to the board.

(3) The Secretary concerned shall provide written instructions to the promotion screening boards consistent with this Instruction.

(4) A promotion screening board may recommend that an officer be precluded from consideration by a promotion selection board only on the basis of the general guidance provided by the Secretary of the Military Department concerned, information in the officer's official military personnel records that have been described in the notice, and any communication to the board received by the Secretary of that Military Department concerned from that officer before the board convenes.

5. The ASD(FMP) may issue instructions requiring reports on implementation of this Instruction.

G. EFFECTIVE DATE

This Instruction is effective immediately for promotion selection boards involving the promotion of officers on the Active Duty List, and on October 1, 1996 for promotion selection boards involving the promotion of officers on the Reserve Active Status List.



Edwin Dorn
Under Secretary of Defense
(Personnel and Readiness)

Enclosures - 7

1. References
2. Definitions
3. Numbers to be Recommended for Promotion
4. Instructions Concerning Communications and Information
5. Acquisition Corps Statistics
6. Administrative Procedures
7. Race/Ethnic Profile Data

REFERENCES, continued

- (e) Public Law 103-337, "National Defense Authorization Act for Fiscal Year 1995," October 5, 1994
- (f) DoD Directive 1400.33, "Employment and Voluntary Work of Spouses of Military Personnel," February 10, 1989
- (g) DoD Directive 8910.1, "Management and Control of Information Requirements," June 11, 1993
- (h) DoD Instruction 1320.4, "Military Officer Actions Requiring Approval of the Secretary of Defense or President, or Confirmation by the Senate," March 14, 1995



DEFINITIONS

1. Active Duty List. A single list for the Army, the Navy, the Air Force, or the Marine Corps (required to be maintained under Section 620 of 10 U.S.C. (reference (b))) that contains the names of all officers of that Armed Force, other than the officers described in Section 641 of reference (b), who are serving on active duty.
2. Competitive Category. A separate promotion category established by the Secretary of a Military Department, under Section 621 or 14005 of reference (b) for specific groups of officers whose specialized education, training, or experience, and often relatively narrow utilization, make separate career management desirable.
3. Due Course Officer. An officer (below the grade of O-7) who has been on continuous active duty since he or she was commissioned a second lieutenant or ensign, and who has neither failed of promotion nor been selected for promotion earlier than his contemporaries.
4. Have Served. An officer who was assigned to a JDA or respective Service headquarters assignment on or after 1 October 1986 but is no longer assigned on the day the promotion selection board convenes.
5. Joint Duty Assignment (JDA). An assignment of any duration to a position on the approved JDA List.
6. Promotion Opportunity. The cumulative opportunity for selection for promotion of officers who have competed for promotion to the next higher grade. For the Commissioned Officer Promotion Program, it is calculated by taking the maximum number of recommendations that may be made by the promotion selection board and dividing that number by the number of officers in the zone. General and Flag officer boards include above-zone eligibles; all other boards exclude below- and above-zone eligibles.
7. Promotion Selection Rate. The number of officers selected for promotion from a particular promotion zone (in, above or below-zone) divided by the number considered for promotion from that same zone.
8. Promotion Timing. A 12-month average of the total active commissioned service for due-course officers promoted during each month of the fiscal year.
9. Reserve Active Status List. A single list for the Army, the Navy, the Air Force, or the Marine Corps, required to be maintained under Section 14002 of reference (b), that contains the names of all officers of that Armed Force, except warrant officers (including commissioned warrant officers) who are in an active status in a Reserve component of the Army, the Navy, the Air Force, or the Marine Corps and are not on an Active Duty List.
10. Promotion Selection Board. A board of commissioned officers convened under Section 611(a) of reference (b) to evaluate and recommend qualified officers on the Active Duty List for

promotion to a higher grade or a board of commissioned officers convened under Section 14101(a) of 10 U.S.C. (reference (b)) to evaluate and recommend qualified officers on the Reserve Active Status List for promotion to a higher grade.

11. Serving In. An officer who is assigned to a JDA or his or her respective Service headquarters as of the board convening date.

NUMBERS TO BE RECOMMENDED FOR PROMOTION

Before establishing the number of officers that may be recommended for promotion to any grade within a competitive category by a promotion selection board convened under Section 611(a) or 14101(a) of 10 U.S.C. (reference (b)), the Secretary of the Military Department concerned, in accordance with Section 622 or 14307(a) of reference (b), respectively, shall determine:

A. The number of positions needed to accomplish mission objectives that require officers of such competitive category in the grade to which the board will recommend officers for promotion.

B. The estimated number of officers needed to fill vacancies in such positions during the period during which the selected officers will be promoted.

C. The number of officers authorized by the Secretary of the Military Department concerned to serve on active duty or in an active status in the grade and competitive category under consideration.

The following guidelines shall apply to the determinations required in sections A. through C., above:

1. Requirements for each grade and competitive category are the validated numbers determined to be needed based on skill and experience considerations.

2. Estimated vacancies include unfilled requirements at higher grades.

3. The number of officers authorized to serve on active duty or in an active status in a grade and competitive category may be set lower than actual requirements where grade limitations established in law may not permit requirements to be met. The number authorized also may be set higher than actual requirements when warranted by promotion flow considerations in a specific competitive category.

INSTRUCTIONS CONCERNING COMMUNICATIONS AND INFORMATION

"Each of you (president, members, recorders, and administrative support personnel) is responsible to maintain the integrity and independence of this promotion selection board, and to foster the careful consideration, without prejudice or partiality, of all eligible officers. DoD Instruction 1320.14 provides specific rules governing the conduct of officer promotion selection boards and the actions of promotion selection board personnel.

"You must pay particularly close attention to the rules governing communications with and among other board members, the information authorized to be furnished to you, and the procedures you should follow if you believe that the integrity of this promotion selection board has been improperly affected.

"You may not receive, initiate, or participate in communications or discussions involving information that DoD Instruction 1320.14 precludes from consideration by a promotion selection board. You are to base your recommendations on the material in each officer's military record, any information I have provided to the board in accordance with DoD Instruction 1320.14, and any information about his or her own record communicated to you by individual eligible officers under regulations I have issued. In your deliberations, you may discuss your own personal knowledge and evaluation of the professional qualifications of eligible officers to the extent that such matters are not precluded in law, DoD Instruction 1320.14, or Service regulation from consideration by a promotion selection board or inclusion in an officer's military personnel record. You may not discuss or disclose the opinion of any person not a member of the board concerning an officer being considered unless that opinion is contained in material provided to the board under DoD Instruction 1320.14.

"I am the only person who may appear in person to address you on other than administrative matters. All communications with this board, other than those that are clearly administrative, must be in writing, given to each of you, and made part of the board's record. I have designated in writing those persons authorized to provide routine administrative information to you.

"Before the report of the promotion selection board is signed, the recommendations may be disclosed only to members of the board, recorders, and those administrative support personnel I have designated in writing. After you sign the board report, only the recommendations of the board may be disclosed. Except as authorized by this Instruction and Section 616(e), 14110, or 14111 of 10 U. S. C. (reference (b)), the proceedings of the board may not be disclosed to any person not a board member or board recorder.

"If at anytime you believe that you cannot in good conscience perform your duties as a member of the board without prejudice or partiality, you have a duty to request relief by me from this duty. I will honor any such request. If you believe that the integrity of the board's proceedings has been affected by improper influence of military or civilian authority, misconduct by the board president or a member, or any other reason, you have a duty to request from me or the Secretary of Defense relief from your obligation not to disclose board proceedings and, upon receiving it, to report the basis for your belief.

“Upon the completion of board deliberations, you shall, as a minimum, certify in your report to me that:

“(1) To the best of your knowledge, the board complied with DoD Instruction 1320.14;

“(2) That you were not subject to or aware of any censure, reprimand, or admonishment about the recommendations of the board or the exercise of any lawful function within the authorized discretion of the board;

“(3) That you were not subject to or aware of any attempt to coerce or influence improperly any action in the formulation of the board's recommendations;

“(4) That you were not party to or aware of any attempt at unauthorized communications;

“(5) That, to the best of your knowledge, the board reviewed the records of each officer whose name was furnished to the board; and,

“(6) That the officers recommended for promotion are, in the opinion of the majority of the members of the board, fully qualified and best qualified to meet the needs of the Armed Force concerned among those officers whose names were furnished to the board.”

Secretary of the (Army, Navy, Air Force)

ACQUISITION CORPS STATISTICS

FISCAL YEAR XXXX (grade) (service) COMPETITIVE CATEGORY PROMOTION SELECTION BOARD

(Following three tables are for O-5 and O-6 promotion selection boards)

Above the Zone

	Number Considered	Number Selected	Percent
Acquisition Corps			
Board Average			

In the Zone

	Number Considered	Number Selected	Percent
Acquisition Corps			
Board Average			

Below the Zone

	Number Considered	Number Selected	Percent
Acquisition Corps			
Board Average			

(Following table is for flag and general officer promotion selection boards)

	Number Considered	Number Selected	Percent
Acquisition Corps			
Board Average			

ADMINISTRATIVE PROCEDURES

Besides the information and attachments required by DoD Directive 8910.1 or DoD Instruction 1320.4 (references (g) or (h)), the Secretary of the Military Department's memorandum forwarding the results of a promotion selection board to the Secretary of Defense shall include the following (unless specified otherwise in reference (h)), the original and two copies of the memorandum and all attachments shall be provided:

A. A statement recommending approval or disapproval of the board report with certification that the report, under Section 618 or 14110 of 10 U.S.C. (reference (b)), was reviewed and is in compliance with law, regulation, and the instructions, information, and guidelines furnished to the promotion selection board.

B. For Active Duty List officers selected for promotion to the grade of brigadier general and rear admiral (lower half), a listing, by category, of waivers requested (good of the Service, scientific and technical, professional, and tour length) and a joint duty assignment projection that explains how the Service intends to provide a joint tour for those officers recommended for good of the Service waivers and a plan for those officers who have previously received good of the Service waivers, but have not yet been assigned to joint tours.

C. The promotion selection board's record of proceedings with appropriate signature block, indicating "Approved for the President," attached to the cover memorandum (original shall be returned to the Military Department, on approval). At a minimum, this record shall include the following:

1. Convening notice required by Section 614 or 14105 of reference (b).
2. Board report required by Section 617 or 14109 of reference (b), signed by each board member and recorder, with the certification required by this Instruction.
3. All instructions, information, and guidance that were provided to the board, under Section 615 or 14107 of reference (b) and this Instruction, except information concerning particular officers unless specifically requested by the Under Secretary of Defense for Personnel and Readiness on a case-by-case basis.

D. For promotion selection boards and special promotion selection boards that considered Active Duty List officers (to the grades of O-4 and above) who are serving, or have served, in a joint duty assignment, promotion selection board statistics as required by CJCSI 1330.02 and CJCSI 1331.01 (references (c) and (d)) after the Chairman of the Joint Chiefs of Staff has reviewed and commented on the results. If promotion objectives set forth in Section 662 of reference (b) were not met, provide comments on action taken or action that will be taken to prevent further failures or explain disagreement with the Chairman of the Joint Chiefs of Staff's determination. Also include promotion statistics required by Section 667 of reference (b) in the board reports.

E. For promotion selection boards that consider Acquisition Corps officers (to the grade of O-5 and above), provide confirmation that the USD (A&T) was provided a statistical comparison of Acquisition Corps selection rates to those of line officers. Provide the confirmation in one of the following ways: 1. The Secretary of the Military Department concerned so certifies in his or her memorandum to the Secretary of Defense, 2. Include a copy of the signed and dated document transmitting the data to the USD (A&T), or 3. Include a copy of the USD (A&T) response to the provided data. The data formatting instructions provided at enclosure 5 must be submitted with the coordination document.

F. For board reports to the grades of O-4 through O-8, include race/ethnic profile data for the population considered by promotion selection boards. Sample format for that data is provided at enclosure 7.

RACE/ETHNIC PROFILE DATA

RACE/ETHNIC PROFILE DATA FOR THE ____ PROMOTION BOARD -- APZ

	Female			Male			Total Female and Male		
	Considered	Selected	% Selected	Considered	Selected	% Selected	Considered	Selected	% Selected
White									
Black									
Hispanic									
Asian/Pac									
Amer. Ind.									
Other									
Total									

RACE/ETHNIC PROFILE DATA FOR THE ____ PROMOTION BOARD -- IPZ

	Female			Male			Total Female and Male		
	Considered	Selected	% Selected	Considered	Selected	% Selected	Considered	Selected	% Selected
White									
Black									
Hispanic									
Asian/Pac									
Amer. Ind.									
Other									
Total									

RACE/ETHNIC PROFILE DATA FOR THE ____ PROMOTION BOARD -- BPZ

	Female			Male			Total Female and Male		
	Considered	Selected	% Selected	Considered	Selected	% Selected	Considered	Selected	% Selected
White									
Black									
Hispanic									
Asian/Pac									
Amer. Ind.									
Other									
Total									